

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 85-40, AS AMENDED, ESTABLISHING AN AMENDED FIVE YEAR ROAD PROGRAM; PROVIDING FOR TITLE; PURPOSE; ADOPTION OF REVISED FIVE YEAR ROAD PLAN AND REVISED LIST OF PROJECTS CONTAINED IN EXHIBIT "A"; IMPLEMENTATION OF PLAN; MODIFICATION OF PLAN; FUNDING OF OTHER ROADWAY IMPROVEMENTS, INTERPRETATION OF EXHIBIT; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND ORDINANCES; EFFECTIVE DATE.

WHEREAS, by Ordinance 85-40, the County established a five-year road program setting forth the road projects to be funded, designed and constructed by the County within the next five years; and

WHEREAS, Ordinance 85-40 required annual updates of the road projects by December of each year and permits modifications of the plan no more than twice in a one year period; and

WHEREAS, the Board of County Commissioners annually updated Ordinance 85-40 by enacting Ordinances 87-24, 88-29, 89-36, 90-39, 91-43, 92-21, 93-31, 94-14, 94-28, 95-32, 96-2, 96-21, 96-43, 97-22, 97-39, 98-24, 99-3, 99-39, 2000-6, 2000-022, 2000-062, and 2001-032 by amending the attachment identified as Exhibit "A" to each of the Ordinances; and

WHEREAS, the Board has considered the funding and timing of road projects for the next five years as set forth in Exhibit "A" to Ordinance 2001-032 and desires to revise Exhibit "A" of Ordinance 2001-032 to reflect such changes; and

WHEREAS, the Board wishes to amend the Five Year Road Program Ordinance by amending Exhibit "A" and enacting a new Exhibit "A" to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

SECTION I

Ordinance 85-40, as amended by Ordinances 87-24, 88-29, 89-36, 90-39, 91-43, 92-21, 93-31, 94-14, 94-28, 95-32, 96-2, 96-21, 96-43, 97-22, 97-39, 98-24, 99-3, 99-39, 2000-6, 2000-022, 2000-062, and 2001-032 is hereby amended.

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TITLE

This Ordinance shall be known as the "Palm Beach County Five Year Road Program Ordinance."

PURPOSE

The Palm Beach County Comprehensive Plan, Traffic Circulation Element, is designed to be used as a guide to meet existing and future ground transportation needs of the County including major roadways within incorporated municipalities. The element analyzes the primary transportation network within the County to determine system deficiencies and identify improvements.

The Board of County Commissioners now desires to codify in this Ordinance a reasonably attainable program of roadway construction for the next five years and match the construction of the projects with available funding. The further purpose of this Ordinance is to encourage the prioritization of projects, provide for better timing of right-of-way acquisition and provide improved planning for financial funding mechanisms.

ADOPTION OF REVISED FIVE YEAR ROAD PLAN

The list of projects for the Five Year Road Program set forth in Exhibit "A," of Ordinance 85-40, as amended, is hereby modified as set forth in a new Exhibit "A", attached hereto and incorporated herein, and is hereby adopted as the Five Year Road Plan. Exhibit "A" of Ordinance 2000-062 is hereby deleted and replaced with the new Exhibit "A", attached hereto.

IMPLEMENTATION OF PLAN

The County Administrator and the County Engineer are directed to implement the Five Year Road Plan by taking such actions as are necessary to cause the construction of the roadway segments indicated on the Plan, make periodic reports to the Board of County Commissioners with regard to the progress of the projects and to bring all necessary agreements and budget amendments to accomplish the project to the Board of County Commissioners for consideration.

MODIFICATION OF PLAN

Each year prior to December, the Board of County Commissioners shall consider an amendment to this Ordinance modifying the list of projects contained on Exhibit "A" to create a viable list of funded projects for the succeeding five years. From time to time during each year, the

1 Board of County Commissioners, by resolution, may shift funding within the program to promote
2 the more efficient construction of the projects. Deletions, substitutions and additions of entire
3 construction projects from Exhibit "A" may only be accomplished by Ordinance of the Board of
4 County Commissioners. Deletions of projects may be accomplished no more frequently than twice
5 a year.

6 **FUNDING OF OTHER ROADWAY IMPROVEMENTS, INTERPRETATION**
7 **OF EXHIBIT**

8 This Ordinance shall not be construed to prevent the Board of County Commissioners
9 from constructing other roadway improvements which are not listed on Exhibit "A," provided the
10 projects are funded from sources which will not delete or delay projects included on Exhibit "A."

11 It is recognized that Exhibit "A" depicting limits of the various projects, length of
12 projects, type of work, timetables and costs are approximations that will require modification and
13 updating by the County Administrator based upon more detailed information and bidding results;
14 provided that the following changes may only be made by the County Commission:

- 15 (a) Changes that increase or decrease the total approved appropriations of the
16 program.
- 17 (b) Changes requiring funding from a reserve account.
- 18 (c) Changes increasing a Board approved project budget by more than five
19 percent.
- 20 (d) Changes which significantly affect the scope, nature, or phasing of a capital
21 project.

22 **REPEAL OF LAWS IN CONFLICT**

23 All local laws and ordinances applying to the unincorporated area of Palm Beach
24 County in conflict with any provisions of this Ordinance are hereby repealed.

25 **SEVERABILITY**

26 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for
27 any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not
28 affect the remainder of this Ordinance.

29 **INCLUSION IN THE CODE OF LAWS AND ORDINANCES**

1 The provisions of this Ordinance shall become and be made a part of the Code of
2 Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be
3 renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section,"
4 "article," or any other appropriate word.

5 **EFFECTIVE DATE**

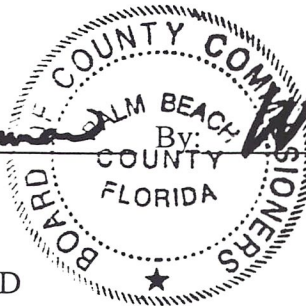
6 The provisions of this Ordinance shall become effective upon filing with the
7 Department of State.

8 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
9 Beach County, Florida, this 18 day of December , 2001.

10 DOROTHY H. WILKEN, CLERK
11

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

12 By: Linda C. Hickman
13 Deputy Clerk



Warren H. Newell
Warren H. Newell, Chairman

14 APPROVED AS TO FORM AND
15 LEGAL SUFFICIENCY

16 By: Marlene R. Stitt
17 Assistant County Attorney
18

19 **EFFECTIVE DATE:** Filed with the Department of State on the 28th day of
20 December, 2001.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Annual Update - Public Hearing - December 18, 2001

ROAD PROGRAM REVENUES	FY 2002 PROJECTED	FY 2003 PROJECTED	FY 2004 PROJECTED	FY 2005 PROJECTED	FY 2006 PROJECTED	TOTAL PROJECTED
GASOLINE TAXES	31,250,000	31,718,750	32,511,719	33,324,512	34,157,625	162,962,605
INTEREST EARNINGS	3,783,234	2,898,301	2,970,758	3,045,027	3,121,153	15,818,473
LESS 5% STATUTORY RESERVES	(1,751,662)	(1,730,853)	(1,774,124)	(1,818,477)	(1,863,939)	(8,939,054)
MISCELLANEOUS	3,650,000 A	6,795,000 B	1,200,000 C	0	0	11,645,000
IMPACT FEES USED FOR PROJECTS	29,953,000	25,451,000	29,206,000	26,450,000	24,300,000	135,360,000
TOTAL CURRENT REVENUES	66,884,572	65,132,198	64,114,353	61,001,062	59,714,839	316,847,024
BALANCES FORWARD	18,641,641	14,411,213	7,193,412	57,765	808,827	18,641,641
TOTAL REVENUES	85,526,213	79,543,412	71,307,765	61,058,827	60,523,665	335,488,665
PROJECT COSTS AS PROPOSED	71,115,000	72,350,000	71,250,000	60,250,000	60,200,000	335,165,000
REVENUES LESS PROJECT COSTS	14,411,213	7,193,412	57,765	808,827	323,665	323,665

FOOTNOTES:

A - Repayment of \$850,000 from the Fla. Dept. of Transportation (\$450,000 for Yamato Rd., Military Trail to Congress Ave., and \$400,000 for Blue Heron Blvd. from Military Trail to I-95).
Fiscal Year 1999 Commissioner Discretionary Fund contribution of \$100,000 from District 7 for construction of Bridge over LWDD L-30 Canal from Lake Ida Park to B.E. Aerospace
Florida Department of Transportation \$2,700,000 Grant for construction of Boynton Beach Blvd. and Military Tr. and Lake Worth Rd. and Military Tr. Intersections.

B - Repayment of \$2,210,000 from the Fla. Dept. of Transportation (\$1,250,000 for Belvedere Rd. at Military Tr., and \$960,000 for Linton Blvd. at US 1).
Florida Department of Transportation \$1,015,000 Grant for construction of Congress Ave., Melaleuca Ln. to Lake Worth Rd.
Florida Department of Transportation \$3,570,000 Grant for construction of Okeechobee Blvd., W. of S.R. 7 to E. of Florida's Turnpike.

C - Florida Department of Transportation \$1,200,000 LAP Agreement for construction of Congress Ave./Melaleuca Ln. Intersection.

General note on interest projections:

Projections for interest earnings assume that average cash balances will approximate 2.15 times the current year revenue projections at an interest rate of 4.25%.

Interest earnings on gas taxes are shown on this summary sheet. Interest earnings on impact fees are included in the amount of impact fees used for projects shown above.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Annual Update - Public Hearing - December 18, 2001

PROJECT	LIMITS	DESCRIPTION	FY 2002 Cost Phase	FY 2003 Cost Phase	FY 2004 Cost Phase	FY 2005 Cost Phase	FY 2006 Cost Phase
10th Avenue North	Military Trail to Congress Ave.	1.4 mi, extend center turn lane	3,210 C				
* Acreage/Southern Connection	SR 80 to Orange Blvd.	6.8 mi, 2&3 L				2,000	
* Alternate A1A (SR 811)	Donald Ross Rd. to Frederick Small Rd.	1.0 mi, 6 L					300 D
* Alternate A1A (SR 811)	Frederick Small Rd. to Toney Penna Dr.	2.0 mi, 6 L			600 D		
* Alternate A1A (SR 811)	Toney Penna Dr. to Indiantown Rd.	0.5 mi, 6 L		200 D			
Boca Rio Rd.	Palmetto Park Rd. to Glades Rd.	1.2 mi, 5 L					1,200 R
Bridge over LWDD L-30 Canal	Lake Ida Park to B.E. Aerospace	0.2 mi, 2 L	650 C				
* Central Blvd./I-95	Interchange	Study	200 S				
* Clint Moore Rd.	SR 7 to Jog Rd.	3.6 mi, 4 L	6,500 P				
Computer Equipment	Staff support equipment for program	Equipment	150 P	150 P	150 P	150 P	150 P
Congress Ave.	Hypoluxo Rd. to Lantana Rd.	1.2 mi, 6L		700 R			
* Congress Ave.	Melaleuca Lane to Lake Worth Rd.	0.9 mi, 6L	200 R	3,230 C			
* Congress Ave.	Northlake Blvd. to SR 811 (Alt A1A)	0.7 mi, 3L	200 R	600 R		2,500 P	
CR 880 (Old SR 80)	rehabilitation/heavy maintenance	Rehabilitation	500 C	500 C	1,000 C	500 C	500 C
* Florida's Turnpike Bridge	Over West Atlantic Ave.	Bridge Replacement			2,500 P		
Glades Area	R&R Throughout the Glades	Repair / reconstruction	800 C	800 C	800 C	800 C	800 C
Glades Rd.	and Jog Rd./Powerline Rd.	Intersection improvement	1,400 C				
Greenview Shores Blvd.	South Shore Blvd. to Wellington Tr.	1.5 mi, 4 L	320 D		100 R		4,000 C
* Hagen Ranch Rd.	West Atlantic Ave. to Boynton Beach Blvd.	5.1 mi, 5 L	1,355 P				
* Haverhill Rd.	Hypoluxo Rd. to N. of LWDD-17 Canal	0.7 mi. 2 & 3/5 L		250 P			
* Haverhill Rd.	Lantana Rd. to Melaleuca Lane	1.3 mi, 2 & 3/4 L	3,700 P/R				
Haverhill Rd.	45th Street to Beeline Hwy.	2.0 mi, 4&5 L					100 R
* Hypoluxo Rd.	Military Trail to Congress Ave.	1.5 mi, 6 L	3,420 P				
* Intersections	Countywide	Intersection Improvement	7,700 D/R/C	5,000 D/R/C	5,000 D/R/C	5,000 D/R/C	5,000 D/R/C
Intracoastal Crossings	Countywide	Bridge replacements		1,000 S/D			
Jog Rd.	Glades Rd. to Clint Moore Rd.	2.7 mi, 6 L			620 R		
Jog Rd.	West Atlantic Ave. to South of Lake Ida Rd.	0.8 mi, 6 L	250 R		1,820 C		
Jog Rd.	Roebuck Rd. to 45th Street	2.0 mi, 4/6 L		2,000 R/M	12,100 M/C		
Lantana Rd.	Jog Rd. to Military Trail	2.0 mi, 6 L	2,500 C				
Lawrence Rd.	Boynton Beach Blvd. to Gateway Blvd.	1.5 mi, 5 L	3,000 C				
Linton Blvd.	Military Trail to Congress Ave.	2.0 mi, 6 L	3,500 C				
Lyons Rd.	Glades Rd. to Yamato Rd.	1.8 mi, 6 L	600 R		5,120 C		
* Lyons Rd.	Cypress Springs Rd. to S. of LWDD L-11 Canal	0.2 mi, 2 L	370 P				
Melaleuca Lane	Jog Rd. to Haverhill Rd.	1.5 mi, 4&5 L			3,780 C		
Miner Rd.	Military Trail to Lawrence Rd.	0.6 mi, 2 & 3 L	500 D/R			300 R	
* Okeechobee Blvd.	W. of SR 7 to E. of Jog Rd.	4.0 mi, 8 L	1,500 R	6,000 C			
* Okeechobee Blvd.	E. of Jog Rd. to E. of Florida's Turnpike	0.5 mi, 8 L		2,000 C			
Palmetto Park Rd.	Boca Rio Rd. to West 9th Avenue	4.0 mi, 8 L					200 R
Pathway Program	Countywide	Pathways	1,500 D/R/C	1,500 D/R/C	1,500 D/R/C	1,500 D/R/C	1,500 D/R/C
Persimmon Blvd.	Royal Palm Beach Blvd. to Okeechobee Blvd.	4.4 mi, 5&2 L	2,500 D/M/R	19,900 M/R/C			

*= See Footnotes; B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Annual Update - Public Hearing - December 18, 2001

PROJECT		LIMITS	DESCRIPTION	FY 2002 Cost Phase	FY 2003 Cost Phase	FY 2004 Cost Phase	FY 2005 Cost Phase	FY 2006 Cost Phase
*	Prosperity Farms Rd.	Regional Centre Ent. to Lone Pine Rd.	0.3 mi, 4&5 L		420 D/R		650 C	
	Reserve-Beautification	Countywide	Beautification	1,700 B	1,700 B	1,700 B	1,700 B	1,700 B
	Reserve-County (KPBCB) Grants	Countywide	Beautification Grants	300 B	300 B	300 B	300 B	300 B
	Reserve-District Improvements	Countywide	Design, R/W, Mitigation & Construction	7,000 D/R/M/C	7,000 D/R/M/C	7,000 D/R/M/C	7,000 D/R/M/C	7,000 D/R/M/C
	Reserve- Impact Fee Areas	Countywide	Design, R/W, Mitigation & Construction		2,500 D/R/M/C	2,500 D/R/M/C	4,000 D/R/M/C	5,000 D/R/M/C
	Reserve-Impact Fee Area	Area "1"	Design, R/W, Mitigation & Construction		3,000 D/R/M/C	3,000 D/R/M/C	1,900 D/R/M/C	2,700 D/R/M/C
	Reserve-Impact Fee Area	Area "2"	Design, R/W, Mitigation & Construction			2,500 D/R/M/C	5,500 D/R/M/C	3,400 D/R/M/C
	Reserve-Impact Fee Area	Area "3"	Design, R/W, Mitigation & Construction				1,400 D/R/M/C	3,200 D/R/M/C
	Reserve-Impact Fee Area	Area "4"	Design, R/W, Mitigation & Construction				3,500 D/R/M/C	3,200 D/R/M/C
	Reserve-Impact Fee Area	Area "5"	Design, R/W, Mitigation & Construction				4,500 D/R/M/C	6,000 D/R/M/C
	Reserve-Plans/Align.	Countywide	Designs, studies & alignments	2,500 D/S	2,500 D/S	2,400 D/S	3,000 D/S	3,500 D/S
	Reserve-R/W	Countywide	Land acquisition	2,500 R	2,500 R	2,400 R	3,000 R	3,500 R
	Reserve-Street Lighting	Countywide	Street lighting	400 D/C	500 D/C	600 D/C	700 D/C	800 D/C
	Reserve-Traffic Calming	Countywide	Minor improvements	50 D/C	50 D/C	50 D/C	50 D/C	50 D/C
	Reserve-Traffic Signals	Countywide	Energy efficiency	400 D/C	200 D/C	200 D/C		
	Reserve-Traffic Signals	Countywide	Mast Arms				3,600 D/C	3,600 D/C
	Roebuck Rd.	One Mile West of Jog Rd. to Jog Rd.	1.0 mi, 2 L	1,000 S/R				
	Roosevelt Ave.	Indiantown Rd. to Limestone Creek Rd.	0.3 mi, 3/5 L	910 R/M		2,810 C		
	Seminole Pratt Whitney Rd.	SR 80 to S. of Okeechobee Blvd.	1.3 mi, 4 L		350 R		2,920	
	Seminole Pratt Whitney Rd.,	S. of Okeechobee Blvd. to N. of Sycamore Dr.	2.3 mi, 4L	1,100 R/P		4,850 C		
	Seminole Pratt Whitney Rd.	N. of Sycamore Dr. to N. of Orange Blvd.	3.2 mi, 4 L			890 R		
	Seminole Pratt Whitney Rd.	N. of Orange Blvd. to Northlake Blvd.	2.5 mi, 4 L	820 D			780 R	
	Seminole Pratt Whitney Rd.	Northlake Blvd. to Bee Line Hwy.	6.2 mi, 2 L			2,000 R/M		
	Summit Blvd.	and Congress Ave.	Intersection Improvements	260 R		460 C		
*	S.R. 7	S. of Lake Worth Rd. to N. of Southern Blvd.	4.5 mi, 8 L		5,000 P			
	Transfer to Mass Transit	Countywide	Repayment	500 P	500 P	500 P	500 P	500 P
	Transfer to Rd. Maintenance	Countywide	Maintenance	2,000 P	2,000 P	2,000 P	2,000 P	2,000 P
*	Woolbright Rd.	E. of Hagen Ranch Rd. to W. of Jog Rd.	0.7 mi, 2/4 L	150 D			500 R	
	Woolbright Rd.	Jog Rd. to Military Trail	1.5 mi, 4 L	3,000 C				
TOTAL COSTS				71,115	72,350	71,250	60,250	60,200

*= See Footnotes; B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

Annual Update - Public Hearing - December 18, 2001

**PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A
FOOTNOTES TO LINE ITEMS CONTAINED IN THE PLAN**

ACREAGE/SOUTHERN CONNECTION: Anticipates potential design of two or three separate projects, timing will depend on Sector Planning results.

ALTERNATE A-1-A (S.R. 811) - DONALD ROSS RD. TO FREDERICK SMALL RD. : Agreement dated, 03/21/95, with ABACOA commits County to construction by FY 2010.

ALTERNATE A-1-A (S.R. 811) - FREDERICK SMALL RD. TO TONEY PENNA DR.: Agreement dated, 03/21/95, with ABACOA commits County to construction by FY 2008.

ALTERNATE A-1-A (S.R. 811) - TONEY PENNA DR. TO INDIANTOWN RD.: Agreement dated, 03/21/95, with ABACOA commits County to construction by FY 2007.

CENTRAL BLVD./I-95. INTERCHANGE: Anticipates Joint Project Agreement with Florida Department of Transportation.

CLINT MOORE RD. - S.R. 7 TO JOG RD.: Anticipates Developer Funding Agreement.

CONGRESS AVE. - MELALEUCA LN. TO LAKE WORTH RD.: Florida Department of Transportation \$1,015,000 grant for construction.
Florida Department of Transportation LAP Agreement for \$1,200,000 for construction of Congress Ave./Melaleuca Ln. Intersection.

CONGRESS AVE. - NORTHLAKE BLVD. TO S.R. 811 (ALT. A-1-A): Anticipates Developer Agreement.

FLORIDA'S TURNPIKE BRIDGE OVER WEST ATLANTIC AVE.: Anticipates Joint Project Agreement with Florida Department of Transportation.

HAGEN RANCH RD. - W. ATLANTIC AVE. TO BOYNTON BEACH BLVD.: Reimbursement of \$1,355,000 No Interest Loan to GL Homes per Agreement.

HAVERHILL RD. HYPOLUXO ROAD TO N. OF LWDD L-17 CANAL: Anticipates Developer Agreement.

HAVERHILL RD. - LANTANA RD. TO MELALEUCA LN.: Reimbursement of advanced construction funds to GL Homes per Agreement.

HYPOLUXO RD. - MILITARY TR. TO CONGRESS AVE.: Reimbursement of \$3,420,000 No Interest Loan to Centex Homes per Agreement.

INTERSECTION PROGRAM: Future fiscal year intersection improvement projects currently in some stage of project development, at an estimate of \$11.4 million.
Fiscal Year 2002 includes Florida Department of Transportation \$2,700,000 Grant for construction of Boynton Beach Blvd./Military Tr. and Lake Worth Rd./Military Tr. Intersections.

LYONS RD. - CYPRESS SPRINGS RD. TO S. OF LWDD L-11 CANAL: Repayment of \$370,000 to The School District of Palm Beach County.

OKEECHOBEE BLVD. - W. OF SR7 TO E. OF JOG RD. AND OKEECHOBEE BLVD. - JOG RD. TO E. OF FLORIDA'S TURNPIKE:
Florida Department of Transportation \$3,570,000 grant for construction.

PROSPERITY FARMS RD. - REGIONAL CENTER ENTRANCE TO LONE PINE RD.: Agreement dated, 03/21/95, with ABACOA commits County to construction by FY 2005.

S.R. 7 - S. OF LAKE WORTH RD. TO N. OF SOUTHERN BLVD.: Public Facilities Agreement dated, 05/15/01, with Anthony Groves.

WOOLBRIGHT RD. - E. OF HAGEN RANCH RD. TO W. OF JOG RD.: Anticipates Developer Agreement.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 11/09/02 at 11:18 AM.
DATED at West Palm Beach, FL on 11/28/02.
DOROTHY H. WILKEN, Clerk
By: [Signature] D.C.